

## Terms of Reference – Indigo Environment Advisory Committee

Version No:	3
Trim File No:	Internal21/11266
Adopted Date:	27 July 2021
Adopted By:	Council
Department:	People & Governance
Responsible Officer:	Governance Officer
Next Review Date:	2025
Advent Obligation No:	1558
Circulation	Committee Members

### **PART A – applies to all Council appointed advisory committees**

#### **1.0 ESTABLISHMENT**

1.1 This committee was originally established by Council resolution passed on 9 February 2010.

#### **2.0 RESPONSIBLE COUNCIL OFFICER**

2.1 The Coordinator Environment & Sustainability (or delegate) of Indigo Shire Council shall be a non-voting member of the Committee and will not count towards the quorum. In addition, they shall act as the Secretary of the Committee, or may delegate this function to another Council officer.

#### **3.0 APPOINTMENT OF THE COMMITTEE**

3.1 All new committee members will be appointed by resolution of Council.

3.2 The Committee will advertise the vacancy, consider applications and will recommend preferred applications to Council via an officer report.

3.3 Council reserves the right to review the membership of an Advisory Committee at any time. Council will consult with an Advisory Committee before considering a recommendation to change the membership of an Advisory Committee.

#### **4.0 MEMBERSHIP**

4.1 Council aims to achieve membership that is:

4.1.1 representative of the local community and is inclusive of age, gender and geographical location; and / or

4.1.2 is representative of the required skills as specified in Part B.

4.2 The Council upon recommendation by the Committee, or at its own instigation, may consider changes to the composition or membership of the Committee as detailed in section 17.

4.3 Relating to specific agenda topics, the Committee will be empowered to invite unpaid attendance of guest speakers. These guests will not have voting rights.

### 5.0 ROLE OF THE COUNCILLOR

5.1 Councillor representatives will be appointed to the committee by Council at the annual Statutory Meeting.

5.1.1 Appointed councillors are not entitled to vote, except for on the Finance Committee;

5.2 Appointed Councillors will provide a strong connection between the Council and the Committee, and will fulfil the following functions:

5.2.1 provide advice to the committee or to Council on either party's work

5.2.2 assist the Committee to align their work with the 4 year Council plan;

5.2.3 assist with governance questions and Council's meeting procedures (with staff).

### 6.0 ROLE OF THE CHAIR

6.1 The role of Chair shall be held by an appointed Councillor.

6.2 The Chair is responsible for:

6.2.1 development of agenda, in conjunction with the Responsible Council Officer and / or Secretary;

6.2.2 ratifying the meeting minutes prior to submission at Council meeting, including any recommendations for Council;

6.2.3 managing meeting processes, including the management of any conflicts of interest, ensuring discussion remains on topic and all views of the committee are heard;

6.2.4 supporting the committee to work to the four year plan.

### 7.0 ROLE OF DEPUTY CHAIR

7.1 The role of Deputy Chair may be held by a community member.

7.2 The Committee will elect a deputy chair every 12 months.

7.3 The Deputy Chair will assist in situations where a Councillor Chair is not available.

### 8.0 ROLE OF THE RESPONSIBLE COUNCIL OFFICER

8.1 To input into meeting agendas where required, in conjunction with the Chair and Secretary;

8.2 To provision of internal knowledge on Council processes and inner workings;

8.3 To provide subject matter expertise;

8.4 To facilitate the production of relevant Council reports.

### 9.0 ROLE OF SECRETARY

9.1 To develop meeting agenda in conjunction with the Chair and Responsible Council Officer;

9.2 General meeting administration and support, including minute taking and agenda development, preparation of meetings papers;

9.3 To facilitate reporting due dates, membership expiry and recruitment.

### 10.0 MEETINGS

10.1 Advisory Committee meetings will be, as a default, open to the public, unless otherwise stated in Section 16.

10.2 Meetings that are open to the public may be closed, at the discretion of the Chair, to consider matters which relate to information defined as confidential under the *Local Government Act 2020*, or which are contrary to the public interest, in accordance with Council's Public Transparency Policy (clause 11.2).

10.3 The Council may resolve that an Advisory Committee will hold all meetings closed to the public, where it determines it is in the public interest to do so, or where having open meetings would hamper the ability of the Advisory Committee to fulfil its purpose. Refer to section 16.

10.4 Meetings open to the public will be advertised on Council's website to enable public attendance.

10.5 Members of the public and non-appointed Councillors who attend an Advisory Committee meeting are not permitted to:

10.4.1 vote;

- 10.4.2 participate in the discussion unless the committee specifically resolves to invite individuals' participation on a particular item.
- 10.6 A quorum will be a majority of the Committee membership including:
- 10.2.1 Appointed community members;
  - 10.2.2 Appointed Councillor members;
- 10.7 Meeting attendance may be by physical attendance, or by video call or phone conference. The mode of attendance is to be recorded in the meeting minutes.
- 10.8 Should a committee member not attend three consecutive Committee meetings, without seeking prior approval for a leave of absence from the Committee, the member will automatically relinquish their position as a member of the committee. The Committee shall then fill the vacancy in accordance with section 3.2.
- 10.9 The following Conflicts of Interest procedures must be followed:
- 10.9.1 Conflicts of Interest must be declared by all Committee members (including Councillors and Council officers) and recorded in the minutes;
  - 10.9.2 Conflict of Interest procedures for Councillors and Council officers must be followed in accordance with Council's Governance Rules;
  - 10.9.3 A Committee member who has a conflict of interest in a matter being considered in an Advisory Committee meeting at which he or she is present must:
    - (i) disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered;
    - (ii) absent himself or herself from any discussion of the matter; and
    - (iii) as soon as practicable after the meeting concludes provide to the CEO a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.
- 10.10 The Chair of the Committee shall ratify the minutes of the meeting prior to Council receiving the minutes. Formal endorsement of the minutes will occur at the subsequent Committee meeting.
- 10.11 An advisory committee meeting of Council is defined as an Informal Meeting of Councillors under Council's Governance Rules (R 72). This applies only to meetings that are closed to the public, providing at least one Councillor is in attendance. The Secretary is responsible for

ensuring that a record of the meeting is provided to Governance for reporting to the next Council meeting.

### 11 DELEGATIONS

- 11.1 The Advisory Committee has no delegated authority to borrow or expend monies or enter into contracts.
- 11.2 The Committee has no other delegated authority.
- 11.3 The Committee and individual committee members cannot speak on behalf of Council.

### 12 REPORTING

- 12.1 The Secretary of the Committee will forward the minutes, recommendations for Council decision officer comments and an Informal Meeting of Councillors record (if applicable) to Governance for reporting to the next practicable Ordinary Meeting of Council.
- 12.2 Within six months of a new Council Plan being adopted (occurring by 30 June in the year following an election), the Committee shall prepare a four year Plan.
  - 12.2.1 The Plan will outline at least three priority areas that link the Committees' focus to the strategic objectives and actions contained in the Council plan;
  - 12.2.2 The Plan will be presented to a Council Briefing session by 31 December in the year that the new Council Plan is adopted.
- 12.3 A representative of the Committee will present to Council in a briefing format once every 12 months to obtain strategic direction from Council and to and agree the committee's work plan for the upcoming year.

### 13 REVIEW

- 13.1 Council will, in the first half of each Council term, review the terms of reference for each advisory committee, including consideration of Council's need for each committee and the specific purpose and advice it is seeking.
- 13.2 In the first meeting following the Council's annual Statutory Meeting, the Committee should review the terms of reference. Any proposed changes are to be recommended to Council.

### **PART B – is specific to each advisory committee**

#### **14 PURPOSE**

- 14.1 To provide advice to Council on the development of Council policy as it relates to environmental and sustainability matters.

#### **15 OBJECTIVES**

- 15.1 To provide a recognised forum that Council and community alike can refer environmental concerns for further consideration.
- 15.2 To provide recommendations to Council about the means to encourage and support increased community awareness and understanding of environmental and sustainability matters.
- 15.3 To provide advice on the implementation and ongoing review of the Environment Strategy.
- 15.4 To develop advice on the review or development of other environmental Council plans
- 15.5 To provide recommendations to Council, as necessary, to ensure environmental programs, both internally and externally funded, are consistent with priorities identified in the Environment Strategy.
- 15.6 To provide advocacy for Council’s environmental portfolio within other forums and within the community.
- 15.7 To provide input on special projects where directed by Council.

#### **16 GOVERNANCE MATTERS**

- 16.1 Meetings shall be held every two months.
- 16.2 The committee meetings are open to the public.

#### **17 COMMITTEE MEMBERSHIP**

- 17.1 The committee may consist of up to 22 members appointed by Council including:
- 17.1.1 Two appointed Indigo Shire Councillors (non-voting, count towards quorum);
- 17.1.2 Thirteen Community Representatives, including a young person under 25 years old (where possible);
- 17.1.3 Up to four Landcare Representatives/Sustainability Representatives;
- 17.1.4 Up to three Natural Resource Management Government Representatives;

- 17.2 In addition, the Committee may comprise of the following Council officer, nonvoting members:
- 17.2.1 Director Infrastructure Services (or delegate);
  - 17.2.2 Manager Assets & Property (or delegate);
  - 17.2.3 Coordinator Environment & Sustainability;
  - 17.2.4 Manager Capital Works & Waste;
  - 17.2.5 Coordinator Waste;
  - 17.2.6 Environmental Projects Officer.

### 18 Conduct Requirements for members

- 18.1 Attend advisory committee meetings and provide apologies in advance when attendance is not possible;
- 18.2 Act in an advisory capacity by disseminating authorised information within the community and provide insight and advice into community perspectives of the project;
- 18.3 Seek at all times to obtain and represent the views of the broader community;
- 18.4 Respect the ideas and beliefs of all members and provide an atmosphere where all members feel comfortable to participate;
- 18.5 Contribute in a positive way to finding solutions to issues or concerns;
- 18.6 At all times act in good faith, with honesty and integrity and apply the skills and expertise I possess with diligence and care;
- 18.7 Represent the views of my organisation, interest group or community and not individual views at odds with my organisation or group;
- 18.8 Notify Council of any potential conflict of interest that may arise with respect to my participation on the advisory committee;
- 18.9 Allow Council to promote my participation in the advisory committee in order to facilitate community feedback and participation;
- 18.10 Not disseminate confidential information that is discussed at the advisory committee meetings as advised by the advisory committee chair; and
- 18.11 Not make any media comment on behalf of the advisory committee in relation to the project unless approved by the advisory committee chair.

